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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,089	08/20/2001	Andras Kovacs	47092.00130	5463

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EXAMINER

LE, DANH C

ART UNIT PAPER NUMBER

2617

DATE MAILED: 07/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/932,089

Applicant(s)

KOVACS ET AL.

Examiner

DANH C. LE

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-16 and 21-41 is/are allowed.
- 6) ☒ Claim(s) 17-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

SET I

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 17-20 are rejected under 35 U.S.C. 102(e) as being anticipated by

Hogan (US 2002/0151304).

As to claim 17, Hogan teaches a network element for handling radio resource control in a radio access network (figures 11 A-B, 12 A-B and their descriptions), comprising:

means for receiving a relocation-specific information;

means for establishing, in response to the receipt of said relocation-specific information, a link to a drift network element specified by said relocation-specific information; and

means for initiating a downlink bi-casting procedure to said network element and to a serving network element to be subjected to relocation, or a downlink transport forwarding procedure from said serving network element to said network element

As to claim 18, Hogan teaches a network element according to claim 17, wherein said network element is a base transceiver station, a base station controller or a radio network controller (figures 11 A-B, 12 A-B and their descriptions).

As to claim 19, Hogan teaches a network element for handling radio resource control in a radio access network (figures 11 A-B, 12 A-B and their descriptions), comprising:

means for adding an identification information to a relocation-specific information, said identification information identifying a drift network element supporting said network element in serving a user equipment; and

means for transmitting said relocation-specific information to a target network element to which radio resource control of said user equipment is to be relocated.

As to claim 20, Hogan teaches a network element according to claim 19, wherein said network element is a base transceiver station, a base station controller or a radio network controller (figures 11 A-B, 12 A-B and their descriptions).

SET II

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 17-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Van (US 2004/0203714).

As to claim 17, Van teaches a network element for handling radio resource control in a radio access network (figures 1- 3 and their descriptions), comprising:

means for receiving a relocation-specific information;

means for establishing, in response to the receipt of said relocation-specific information, a link to a drift network element specified by said relocation-specific information; and

means for initiating a downlink bi-casting procedure to said network element and to a serving network element to be subjected to relocation, or a downlink transport forwarding procedure from said serving network element to said network element.

As to claim 18, Van teaches a network element according to claim 17, wherein said network element is a base transceiver station, a base station controller or a radio network controller (figures 1- 3 and their descriptions).

As to claim 19, Van teaches a network element for handling radio resource control in a radio access network (figures 1- 3 and their descriptions), comprising:

means for adding an identification information to a relocation-specific information, said identification information identifying a drift network element supporting said network element in serving a user equipment; and

means for transmitting said relocation-specific information to a target network element to which radio resource control of said user equipment is to be relocated.

As to claim 20, Van teaches a network element according to claim 19, wherein said network element is a base transceiver station, a base station controller or a radio network controller(figures 1- 3 and their descriptions).

Allowable Subject Matter

Claims 1-16, 21-46 are allowed in the previous Office Action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C. LE whose telephone number is 571-272-7868. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read "Dan H. Congle", is written over a horizontal line. A short diagonal line extends upwards from the right side of the signature.

JUN 27, 2006
DAN H. CONGLE
PRIMARY EXAMINER